

## **REMARKS**

### **I. Introduction**

Claims 8 to 13 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

Applicants note with appreciation the acknowledgment of the claim for foreign priority and the indication that all copies of the certified copies of the priority documents have been received.

Applicants thank the Examiner for considering the previously filed Information Disclosure Statement, PTO-1449 paper and cited references.

### **II. Objections to the Drawings**

Regarding the objections to the drawings, the Examiner will note that Figure 1 has been amended herein to delete the non-English markings. No new matter has been added.

In view of the foregoing, withdrawal of this objection is respectfully requested.

### **III. Objection to Claim 8**

Claim 8 was objected to based on certain alleged informalities. The Examiner will note that claim 8 has been amended herein without prejudice to change the phrase "the switching device allowing the different measuring probes" to -- the switching device allows the different measuring probes --.

Withdrawal of this objection is respectfully requested.

### **IV. Rejection of Claims 8 to 13 Under 35 U.S.C. § 112, Second Paragraph**

Claims 8 to 13 were rejected under 35 U.S.C. § 112, second paragraph as allegedly indefinite. While Applicants do not necessarily agree with the merits of these rejections, to facilitate matters, claim 8 has been amended herein without prejudice to change the phrase "and for supplying the radiation" to --the transmitting element supplying radiation--. It is respectfully submitted that this amendment obviates the present rejection. Accordingly, withdrawal of this rejection is respectfully requested.

V. Rejection of Claims 8 to 13 Under 35 U.S.C. § 103(a)

Claims 8 to 13 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,901,176 ("Balachandran et al."). It is respectfully submitted that Balachandran et al. do not render unpatentable the presently pending claims for at least the following reasons.

In order for a claim to be rejected for obviousness under 35 U.S.C. § 103(a), the prior art must teach or suggest each element of the claim. See Northern Telecom, Inc. v. Datapoint Corp., 908 F.2d 931, 934 (Fed. Cir. 1990), cert. denied, 111 S. Ct. 296 (1990); In re Bond, 910 F.2d 831, 834 (Fed. Cir. 1990). In addition, as clearly indicated by the Supreme Court, it is "important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements" in the manner claimed. See KSR Int'l Co. v. Teleflex, Inc., 127 S. Ct. 1727 (2007). Further, the Supreme Court in KSR noted that the analysis supporting a rejection under 35 U.S.C. 103 should be made explicit. M.P.E.P. §2143.

Claim 8 relates to an interferometric measuring system for measuring a shape deviation, position, surface properties, and vibrations of an object, including, *inter alia*, the features of a transmitting element including a modulation interferometer, and a *radiation source* for short-coherent radiation, and a receiving element for *analyzing* a measuring radiation returning from the measuring probe system.

Balachandran et al. do not disclose, or even suggest, all of the features of claim 8. Balachandran et al. purport to relate to a fiber optic sensor system for acoustic measurements, including a light source (38), a phase modulator (36), an optical coupler (34), an optical switch (30), a sensor array (40), a photodetector (28), and a personal computer (42). The Office Action at page 4 refers to the light source (38) of Balachandran et al. as disclosing a radiation source for short-coherent radiation. According to Fig. 3 of Balachandran et al., however, light source (38) is situated outside of the transmitting unit (36). In contrast, the radiation source of the present claim is integrated in the same unit as the transmission unit (Fig. 2, and page 4, lines 5 to 10). Nowhere, does Balachandran et al. disclose, or even suggest, that the transmitting element includes a radiation source for short-coherent radiation.

Further, Balachandran et al. do not disclose, or even suggest, the feature of a receiving element for analyzing a measuring radiation returning from the measuring probe system. The Office Action at page 4 refers to the photodetector (28) of Balachandran et al. as disclosing a receiving element. However, nowhere do Balachandran et al. disclose, or even suggest, the feature of the receiving element analyzing a measuring radiation returning from the measuring probe system. Instead, Balachandran et al. merely discloses that photodetector (28) detects a signal; it does not disclose analyzing it.

Accordingly, it is respectfully submitted that Balachandran et al. do not disclose, or even suggest, all of the features included in claim 8. Therefore, it is respectfully submitted that Balachandran et al. do not render unpatentable the presently pending claim for at least the foregoing reasons.

As for claims 9 to 13, which depend from claim 8, and therefore include all of the features included in claim 8, it is respectfully submitted that Balachandran et al. do not render unpatentable these dependent claims for at least the reasons more fully set forth above.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

## VI. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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